

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 431

BY AGRICULTURAL AFFAIRS COMMITTEE

AN ACT

RELATING TO DOMESTIC CERVIDAE; AMENDING CHAPTER 37, TITLE 25, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 25-3704A, IDAHO CODE, TO PROVIDE FOR THE TESTING AND EXAMINATION FOR CHRONIC WASTING DISEASE OF THE BRAIN TISSUE OF CERTAIN DOMESTIC CERVIDAE, TO PROVIDE EXCEPTIONS AND TO PROVIDE THAT ONE HUNDRED PERCENT OF BRAIN TISSUE SAMPLES MAY STILL BE SUBMITTED TO MAINTAIN EXPORT STATUS; AMENDING SECTION 25-3705, IDAHO CODE, TO PROVIDE FOR CERVIDAE RANCHES, TO PROVIDE FOR INVENTORY AND FACILITY INSPECTION OF FARMS AND RANCHES AND TO PROVIDE THAT CERTAIN FACILITIES SHALL BE INSPECTED PURSUANT TO FEDERAL RULES; AMENDING SECTION 25-3708, IDAHO CODE, TO REVISE FEE PROVISIONS, TO PROVIDE FOR APPLICABILITY OF CERTAIN FEE PROVISIONS, TO PROVIDE FOR FEES FOR DOMESTIC CERVIDAE THAT ARE IMPORTED, EXPORTED AND TRANSFERRED, TO PROVIDE FOR THE PAYMENT OF FEES, TO PROVIDE FOR AN EXEMPTION FROM FEES, TO PROVIDE CORRECT TERMINOLOGY AND TO PROVIDE THAT FEES SHALL BE USED SOLELY FOR SPECIFIED PURPOSES; AND DECLARING AN EMERGENCY.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Chapter 37, Title 25, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 25-3704A, Idaho Code, and to read as follows:

25-3704A. DOMESTIC CERVIDAE RANCH SURVEILLANCE. All brain tissue samples from no less than ten percent (10%) of all domestic cervidae sixteen (16) months of age or older that die or are harvested on domestic cervidae farms or ranches shall be submitted by the owner or operator of the domestic cervidae farm or ranch to official laboratories to be tested or examined for chronic wasting disease (CWD). Reindeer and fallow deer are exempt from this testing requirement unless the reindeer or fallow deer are part of a CWD positive, exposed, trace, source or suspect herd. One hundred percent (100%) of brain tissue samples may still be submitted by the owner or operator to maintain export status in accordance with the national CWD herd certification program.

SECTION 2. That Section 25-3705, Idaho Code, be, and the same is hereby amended to read as follows:

25-3705. INSPECTION OF CERVIDAE FARMS -- RANCHES. The division of animal industries and any of its officers shall have the right, at any reasonable time, to inspect any domestic cervidae farm or ranch, and may go upon such farms or ranches or any part thereof where such animals are contained to inspect and examine the same and any animals therein. Inventory and facility inspection of farms and ranches shall take place at least every five (5) years. Inspections may take place at more frequent intervals if requested by

1 a cervidae producer. Cervidae facilities participating in the national CWD
2 herd certification program shall be inspected pursuant to current federal
3 rules.

4 SECTION 3. That Section 25-3708, Idaho Code, be, and the same is hereby
5 amended to read as follows:

6 25-3708. FEES. (1) There is hereby imposed, on domestic cervidae, a
7 fee, not to exceed ~~five~~ ten dollars (\$~~5~~10.00) per head per year and shall be
8 due on January 1 of each year. Such fee shall apply to all domestic cervidae
9 present at the farm or ranch as of December 31 and all domestic cervidae that
10 die or have been harvested on the farm or ranch during the same calendar year.

11 (2) There is hereby imposed, on all domestic cervidae imported from
12 outside of the state, a fee of ten dollars (\$10.00) per head payable by Decem-
13 ber 31 of the year of import.

14 (3) There is hereby imposed, on all domestic cervidae exported outside
15 of the state, a fee of ten dollars (\$10.00) per head payable by December 31 of
16 the year of export.

17 (4) There is hereby imposed, on all domestic cervidae whose ownership
18 is transferred from one (1) producer to another within the state, a fee of ten
19 dollars (\$10.00) per head payable by December 31 of the year of transfer.

20 (5) The department shall accept payment of fees by cash and check and
21 shall also facilitate the payment of fees by debit and credit card through
22 electronic and telephonic means, as available.

23 (6) Fees imposed by the provisions of subsections (2), (3) and (4) of
24 this section shall not apply to domestic cervidae destined to an approved
25 slaughter establishment.

26 (7) The fee shall be used by the Idaho state department of agriculture,
27 division of animal industries, solely for the prevention, control and erad-
28 ication of diseases of domestic cervidae, the inspection of domestic cervi-
29 dae and domestic cervidae farms or ranches, and administration of the domes-
30 tic cervidae program. All moneys collected under this provision shall be de-
31 posited in the livestock disease control and tuberculosis indemnity fund and
32 used for the domestic cervidae program.

33 SECTION 4. An emergency existing therefor, which emergency is hereby
34 declared to exist, this act shall be in full force and effect on and after its
35 passage and approval.